

REMARKS

The Examiner is thanked for the performance of a thorough search.

STATUS OF CLAIMS

Claims 6, 26, and 46 are cancelled above. Claims 5 and 45 were previously cancelled.

Claims 1, 7-9, 19-21, 27-29, 39-41, 47-49, 59, and 61 have been amended.

No claims have been added or withdrawn.

Claims 1-4, 7-25, 27-44, and 47-63 are currently pending in the application.

As a preliminary administrative matter, the status of Claim 52 is unclear from the Office Action. In the Detailed Action, Claim 52 is included in the list of claims that are rejected under 102(e) based on *Martin*, yet Claim 52 is not specifically addressed in the details of the 102(e) rejections. In fact, Claim 52 is not mentioned until the end of the Detailed Action in which Claim 52 is included with other claims that are described as being based on the same basis as the rejections of Claims 1-6, 8-11, and 13-18. However, Claim 52 is similar to Claims 12 and 32, which are objected to as being based on a rejected base claim, but that are otherwise allowable if rewritten in independent form. Thus, it is unclear whether Claim 52 has been rejected under 102(e), with the explanation of that rejection inadvertently omitted from the Detailed Action, or whether Claim 52 was inadvertently listed with the other claims in the 102(e) rejection when in fact Claim 52 is merely objected to as being based on a rejected base claim, as with the similar Claims 12 and 32.

For the purposes of this Response, the Applicant is treating Claim 52 similarly to Claims 12 and 32, and thus the Applicant has proceeded on the basis that Claim 52 has been objected to for being based on a rejected base claim but would be allowable if rewritten in independent form. If this treatment of Claim 52 is incorrect, the Applicant respectfully requests that the basis for any rejection of Claim 52 be provided in the next communication from the Office.

SUMMARY OF THE REJECTIONS/OBJECTIONS

Claims 1-4, 6, 8-11, 13, 21-26, 28-31, 33, 41-44, 46, 48-51, 53, and 60-62 have been rejected under 35 U.S.C. § 102(e) as allegedly anticipated by U.S. Patent Number 6,078,936 issued to Martin et al. (" *Martin* "). Claims 14-18, 19, 34-38, 39, 54-58, and 59 have been

rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over *Martin* in view of U.S. Patent Number 6,430,624 issued to Jamtgaard et al. (" *Jamtgaard* "). Claims 7, 12, 20, 27, 32, 40, 47, 52, and 63 have been objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The rejections are respectfully traversed.

A. CLAIM 1

(1) INTRODUCTION TO CLAIM 1

Claim 1 features:

"A method of using a first device to configure information to be displayed on a second device that has different display capabilities than said first device, the method comprising the computer-implemented steps of:  
receiving first input from said first device, wherein said first input specifies the information to be displayed on said second device;  
causing said first device to generate a first visual depiction of how the information will appear when displayed on said second device;  
based on said first input, storing data that specifies the information to be displayed on said second device;  
based on said data, transmitting for display on said second device the information that said data specifies; and  
causing said first device to generate a **second visual depiction**, wherein **said second visual depiction depicts said second device.**" (Emphasis added.)

Thus, Claim 1 features causing the first device to generate both a visual depiction of how the information will appear when displayed on the second device and a visual depiction of the **second device itself**. For example, in the embodiment illustrated in FIG. 5 of the present application, set of menus 550 is an example of a visual depiction of how the information will appear when displayed on a mobile phone (e.g., the second device), whereas image 520 is an example of a visual depiction of the mobile phone itself. Note that the approach of Claim 1 is not limited to the particular embodiment illustrated in FIG. 5, nor even to the embodiments illustrated elsewhere in the application.

(2) DISCUSSION OF *MARTIN*

In contrast to the approach of Claim 1, *Martin* discloses an approach for presenting images as they would appear on other types of image output devices of an indicated device type, along with allowing a user to indicate a parameter value to alter the version of the image according to how the altered image would appear on the specified type of output device based on the parameter value. (Abstract.) For example, in the system illustrated in Figure 9 of *Martin*, a display 104 is included that shows output images A, B, C, and D that correspond to image output devices 106 through 108. (Col. 12, lines 12-18; Figure 9.) Display 104 is described as having sufficient resolution to present images as they would appear on any of the image output devices 106-108. (Col. 12, lines 18-20; Figure 9.) It is important to note that display 104 in Figure 9 is illustrated as showing output images A, B, C, and D, which are images of how such images would appear on output devices 106-108, and therefore display 104 does not show any depiction of output devices 106-108 themselves.

(3) THE OFFICE ACTION'S CITATIONS FROM *MARTIN*

The Office Action states that *Martin* discloses “causing said first device to generate a second visual depiction, wherein said second visual depiction depicts said second device (see fig. 9, element 104 which displays a plurality of output devices.”” However, as discussed above, display 104 in Figure 9 merely illustrates how output images A, B, C, and D would appear on image output devices 106-108. While output images A, B, C, and D could be considered to correspond to the “first visual depiction of how the information will appear when displayed on said second device” in Claim 1, nothing in display 104 nor in the discussion of display 104 or any other part of the illustration or discussion of Figure 9 shows an image of output devices 106-108 themselves on display 104. Thus, display 104 does not include anything that would correspond to the “second visual depiction” that “depicts said second device” in Claim 1.

Furthermore, the Applicant has been unable to locate any portion of the discussion or Figures in *Martin* that can be construed as “causing said first device to generate a second visual depiction, wherein said second visual depiction depicts said second device.” The Applicant notes that while Figure 6 in *Martin* illustrates a “Type A Printer 72”, a “Type B Printer 74,” a “Type C Display 76,” and a “Type D Display 78,” the description of Figure 5

explains that elements 72, 74, 76, 78 are merely buttons that can be selected by the user. (Col. 11, lines 3031.) Thus, each of buttons 72, 74, 76, 78 “illustratively represents a type of image output device,” but none of buttons 72, 74, 76, 78 depicts an image output device. Rather, the selection of any of buttons 72, 74, 76, 78 by the user specifies the user’s desired type of image output device. (Col. 11, lines 31-45.) In contrast to Figure 6, Claim 1 features a “second visual depiction” that “depicts said second device,” which is not the same as a button that is used to merely represent a type of device to allow the user to specify a desired device type.

(4) CONCLUSION OF DISCUSSION OF CLAIM 1 AND *MARTIN*

Because *Martin* fails to disclose, teach, suggest, or in any way render obvious “causing said first device to generate a **second visual depiction**, wherein said **second visual depiction depicts said second device**,” the Applicant respectfully submits that, for at least the reasons stated above, Claim 1 is allowable over the art of record and is in condition for allowance.

(5) DISCUSSION OF CLAIM 1 AND *JAMTGAARD*

Although the rejection of Claim 1 is based solely on *Martin*, other claims are rejected based on *Martin* in view of *Jamtgaard*, and therefore the Applicant will briefly address *Jamtgaard* with respect to the features of Claim 1 discussed above.

*Jamtgaard* discloses an approach for delivering different types of content to different information appliances having different protocols and different browser specifications to allow content providers to create a single piece of content that is reformatted automatically based on the different information appliances (Abstract.) In particular, a translation system 12, such as a server or workstation, is used to execute one or more different software applications to allow content providers 13 to deliver their content in different formats to one or more different information appliances 15 without the need to reformat, re-author, or rebuild an existing web site using different formats. (Col. 4, lines 34-49; Figure 2.) Thus, not only does the approach of *Jamtgaard* lack any disclosure of “causing said first device to generate a second visual depiction, wherein said second visual depiction depicts said second device,” but *Jamtgaard* also lacks anything related to “causing said first device to generate a first visual

depiction of how the information will appear when displayed on said second device," as featured in Claim 1.

Because *Jamtgaard* fails to disclose, teach, suggest, or in any way render obvious either "causing said first device to generate a first visual depiction of how the information will appear when displayed on said second device" or "causing said first device to generate a **second visual depiction, wherein said second visual depiction depicts said second device,**" the Applicant respectfully submits that, for at least the reasons stated above, Claim 1 is allowable over the art of record and is in condition for allowance.

#### B. CLAIMS 19, 21, 39, 41, AND 59

Claims 19, 21, 39, 41, and 59 contain features that are either the same as or very similar to those described above with respect to Claim 1. Specifically, Claims 21 and 41 feature "causing said first device to generate a second visual depiction, wherein said second visual depiction depicts said second device," which is the same as in Claim 1. Similarly, Claims 19, 39, and 59 feature "generating a second image, wherein said second image depicts said second device," which is very similar to Claim 1. Therefore, based on at least the reasons stated above with respect to Claim 1, the Applicant respectfully submits that Claims 19, 21, 39, 41, and 59 are allowable over the art of record and are in condition for allowance.

#### C. CLAIMS 2-4, 7-18, 20, 22-25, 27-38, 40, 42-45, 47-58, AND 60-63

Claims 2-4 and 7-18 are dependent upon Claim 1, Claim 20 is dependent upon Claim 19, Claims 22-25 and 27-38 are dependent upon Claim 1, Claim 40 is dependent upon Claim 39, Claims 42-45 and 47-58 are dependent upon Claim 41, and Claims 60-63 are dependent upon Claim 59, and thus include each and every feature of the corresponding independent claims. However, due to the fundamental differences already identified, to expedite the positive resolution of this case a separate discussion of most of those limitations is not included at this time, although some are addressed below. Therefore, it is respectfully submitted that Claims 2-4, 7-18, 20, 22-25, 27-38, 40, 42-45, 47-58, and 60-63 are allowable for the reasons given above with respect to Claims 1, 19, 21, 39, 41, and 59.

Regarding Claims 8, 28, and 48, the Office Action states that *Martin* discloses "receiving data from said first device, wherein said data is generated in response to user

interaction with said second visual depiction of said second device (see col. 12, lines 26-33 and col. 13, lines 10-23); and based on said data, causing said first device to visually emulate (i.e., display) how said second device would operate in response to said user interaction (see col. 12, lines 26-33 and col. 13, lines 10-23.)” Examples of these features of Claims 8, 28, and 48 include, but are not limited to, the embodiments described in the application under the “EMULATED TARGET DEVICE BEHAVIOR” that begins on page 13. Specifically, an image of a target device, such as a mobile phone, is displayed on the managing device, such as a general-purpose computer, such that the user can manipulate the phone’s controls on the computer’s display to emulate the use of the physical phone, such as by clicking on portions of the mobile phone’s image with a mouse to simulate pushing the buttons on the physical mobile phone. In response to the user’s interaction with the image of the mobile phone, the computer displays a “dynamic” image of the functioning of the phone image that emulates the functioning of the physical phone when the corresponding buttons are pushed.

In contrast to the approach of Claims 8, 28, and 48, the first cited portion from *Martin* merely describes that processor 102 can receive input signals from keyboard 110 and mouse 112, that processor 102 includes program memory 120 and data memory 130, and that processor 102 can execute instructions stored in program memory 120 including accessing data stored in data memory 130. (Col. 12, lines 26-33.) While this portion of *Martin* describes two different input devices a user can use to provide input that can be used to generate images, nothing in this first cited portion of *Martin* discloses anything related to a “second visual depiction of said second device,” little less anything related to “user interaction with said second visual depiction of said second device” or “causing said first device to visually emulate how the second device would operate in response to said user interaction,” as featured in Claims 8, 28, and 48.

Furthermore, the second cited portion of *Martin* merely discloses that a user can request a basic image processing operation on the image shown in display 104, including the use of current version data 134 that is modified by high resolution transform instructions 126 to produce a version of the image on display 104 that is substantially identical to the image presented by the indicated image output device. (Col. 13, lines 10-23.) Again, nothing in this second cited portion of *Martin* discloses anything related to a “second visual depiction of said second device,” little less anything related to “user interaction with said second visual

depiction of said second device” or “causing said first device to visually emulate how the second device would operate in response to said user interaction,” as featured in Claims 8, 28, and 48.

Because *Martin* fails to disclose, teach, suggest, or in any way render obvious “user interaction with said second visual depiction of said second device” or “causing said first device to visually emulate how the second device would operate in response to said user interaction,” the Applicant respectfully submits that, for at least the reasons stated above, Claims 8, 28, and 48 are allowable over the art of record and are in condition for allowance.

Regarding Claims 9, 29, and 49, the Office Action states that *Martin* discloses “receiving data from said first device, wherein said data is generated in response to user interaction with said first visual depiction of the information (see col. 11, lines 22-30); and based on said data, causing said first device to generate a modified first visual depiction of how the information will appear when displayed on said second device, as a result of said user interaction (see col. 11, lines 22-30.” Examples of these features of Claims 9, 29, and 49 include, but are not limited to, the embodiments described in the application under the “FORMAT MANIPULATION” that begins on page 14. Specifically, an image of the target device, such as a mobile phone, is displayed by the managing device, such as a general-purpose computer, such that the user can manipulate the format of the web content by directly manipulating the display on the image of the target device. As a specific example, the user can use a mouse to rearrange menu items on the image of the mobile phone to change their order.

In contrast to the approach of Claims 9, 29, and 48, the cited portion of *Martin* merely describes that in Figure 5, a first device version 60 and a second device version 62 can be presented on a display as they would appear on either of the first and second types of image output devices. (Col. 11, lines 22-30.) In particular, the user can be presented with a menu 52 on a display so that the user can select one of the menu items, such as either selectable item 54 that represents a first type of image output device or selectable item 56 that represents a second type of image output device. (Col. 11, lines 6-12.) When the user selects item 54, a transform operation can be performed on starting image 50 to produce first device version 60, and similarly the user can select item 56 to produce second device version 62. (Col. 11, lines 13-21.)

While the user can interact with selectable items 52 and 54, which represent two types of image output devices, neither is a “first visual depiction of the information” as featured in Claims 9, 29, and 49, and thus the cited portion of Martin does not disclose anything related to “data [that] is generated in response to user interaction with said first visual depiction of the information,” as featured in Claims 9, 29, and 49.

Because *Martin* fails to disclose, teach, suggest, or in any way render obvious “receiving data from said first device, wherein said data is generated in response to user interaction with said first visual depiction of the information” or “based on said data, causing said first device to generate a modified first visual depiction of how the information will appear when displayed on said second device, as a result of said user interaction,” the Applicant respectfully submits that, for at least the reasons stated above, Claims 9, 29, and 49 are allowable over the art of record and are in condition for allowance.

## RESPONSE TO THE OBJECTIONS

Claims 7, 12, 20, 27, 32, 40, 47, 52, and 63 have been objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 7, 12, 20, 27, 32, 40, 47, 52, and 63 each depends upon an independent claim that has been amended as addressed above, and no other changes to Claims 7, 12, 20, 27, 32, 40, 47, 52, and 63 have been made. Therefore, the Applicant respectfully submits that Claims 7, 12, 20, 27, 32, 40, 47, 52, and 63 remain allowable over the art of record and are in condition for allowance.

## CONCLUSION

The Applicant believes that all issues raised in the Office Action have been addressed and that allowance of the pending claims is appropriate. After entry of the amendments, further examination on the merits is respectfully requested.

The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

For the reasons set forth above, it is respectfully submitted that all of the pending claims are now in condition for allowance. Therefore, the issuance of a formal Notice of Allowance is believed next in order, and that action is most earnestly solicited.

To the extent necessary to make this reply timely filed, the Applicant petitions for an extension of time under 37 C.F.R. § 1.136.

If any applicable fee is missing or insufficient, throughout the pendency of this application, the Commissioner is hereby authorized to any applicable fees and to credit any overpayments to our Deposit Account No. 50-1302.

Respectfully submitted,

HICKMAN PALERMO TRUONG & BECKER LLP

Dated: January 27, 2005

  
Craig G. Holmes  
Reg. No. 44,770

2055 Gateway Place, Suite 550  
San Jose, CA 95110-1089  
Telephone: (408) 414-1207  
Facsimile: (408) 414-1076

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Hon. Commissioner for Patents, Mail Stop AMENDMENT, P.O. Box 1450, Alexandria, VA 22313-1450.

on 1/27/05 by Lacy Reynolds